

Mayor's Column for the January 16, 2013 Review

The Role of Mayor

In November, for the first time in six plus years as mayor, I voted at a Common Council meeting. There was a tie vote on an amendment to delete some language in a proposed ordinance under consideration. Because of Council discussion on the amendment, I decided to vote to break the tie by voting for striking a section of the proposed ordinance.

Over the years, residents have been surprised to learn that I do not regularly vote at Council meetings. Voting procedures of the mayor are actually spelled out in Wisconsin State Statutes. The mayor may vote in the case of a tie, provided that the mayoral vote makes a sufficient number of favorable or unfavorable votes on a measure. The mayor cannot be compelled to vote, in which case the vote would fail for lack of a majority. Certain council actions also require more than a majority vote and the mayoral tie-breaking vote would not reach the required number of votes.

There are a number of provisions in the Wisconsin State Statutes that impact the role of the mayor. The mayor is the presiding officer at meetings of the common council. The presiding officer has authority to decide points of order and to maintain order at meetings. Section 62.09(8)(c) of the Wisconsin Statutes provides that the mayor may veto "all acts of the council." The council may override the mayoral veto by a two-thirds vote of all members. The veto power only applies to positive actions taken by the council. The mayor does not have the power of partial veto, unless a charter ordinance has been adopted by the municipality.

State statutes provide for the mayor to appoint persons to certain offices or positions, typically subject to council confirmation. Appointments include Plan Commission, Police Commission, Board of Zoning Appeals, Housing Authority, Redevelopment Authority, and Library Board.

The mayor is the chief executive officer of a city. The mayor has a duty to "take care that city ordinances and state laws are observed and enforced and that all city officers and employees discharge their duties," according to Statute Sec. 69.02(8)(a). The mayor is responsible for supervising and directing the day-to-day operation of city government.

The mayor is the head of the police department, except where optional powers have been granted to the police commission by the electorate. The chief of police has command of the police force under the direction of the mayor. Lawful written orders of the mayor and common council must be followed by the police chief. Sec. 62.09(13)(a), Stats.

The mayor has a number of statutory financial powers and responsibilities. All municipal obligations must be executed by the mayor. All city checks must be signed by the clerk and treasurer and countersigned by the mayor, unless otherwise provided by local ordinance. On behalf of the city, all contracts, conveyances, and other written

instruments must be signed by the city clerk and mayor. A contract must be properly authorized by the council prior to being signed by the mayor.

In the event that the common council is unable to meet, e.g. in the case of a severe natural disaster or war, the mayor may exercise emergency powers that are necessary for the immediate health, safety, and well-being of the city by proclamation. As soon as the council is able to meet, the proclamation is subject to modification, ratification, or repeal.

The League of Wisconsin Municipalities' publication entitled "The Powers and Duties of Wisconsin Mayors" is a valuable resource and was my reference for most of the above information.

Additional duties and responsibilities of the Evansville mayor are prescribed in the municipal code. I will outline some of these activities in my next column.

Community Announcements

Curbside pick-up of Christmas trees will continue through January, subject to weather and staff availability. Please remove all tinsel and ornaments. Trees must not be bagged.

In 2012 there were 18 building permits issued in the city for new single family residences.

The City of Evansville received an A+ long-term rating by Standard and Poor's Rating Service on January 3, 2013. The City's subsequent bond sale occurred on January 8, 2013 and resulted in a successful bidder that offered a true interest rate of 1.1049% for \$2,765,000 of general obligation promissory notes.

The Evansville Farmers and Artisan Market will be held on Saturday, January 19, 2013 from 9 a.m. to 1:00 p.m. at Creekside Place, 102 Maple Street.

The first Evansville Activity Fair will occur this Saturday, January 19, 2013 from 10 a.m. to 1:00 p.m. at Creekside Place. I strongly encourage Evansville citizens to attend. Learn about the many activities and organizations in our community. There is something for everyone.

Community Thanks

Evansville thanks Mary Libby for her outstanding service from October 2009 through December 2012 as the first president of Creekside Place. Mary also previously served as president of the Evansville Area Primetimers and as vice-president of the Friends of the Evansville Community/Senior Center. Mary coordinated fundraising, oversaw construction, organized the opening of the building, and monitored the early operations of Creekside. We are grateful for her dedication.

